

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

MICHAEL DWAYNE STIGLER,

CIVIL NO. 08-5366 (PAM/JSM)

Petitioner,

v.

ORDER

JOAN FABIAN,  
Commissioner of Corrections,

Respondent.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Janie S. Mayeron dated October 8, 2008. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, now makes and enters the following Order.

IT IS HEREBY ORDERED:

1. Petitioner's application to proceed in forma pauperis, (Docket No. 3), is DENIED; and
2. This action is summarily **DISMISSED WITHOUT PREJUDICE**.

Dated: November 10, 2008

s/Paul A. Magnuson  
PAUL A. MAGNUSON  
United States District Judge